

Remarks

Claims 1-22 are pending.

Claims 1-22 stand rejected.

Claims 1-22 are submitted herein for review.

No changes to the pending application have been made.

In the Office Action dated September 28, 2008, the Examiner rejected Claims 1-22 under 35 U.S.C. Sec. 103 as being unpatentable over Atad et al. (Pub # US 2005/055720 A1).

Applicant submits that the Atad reference is a published application that has not matured into an issued patent, and was both filed and published after the filing date of Applicant's pending application. Applicant further submits that the Office Action does not include any rejection of the claims under 35 U.S.C. Sec. 102.

For at least the foregoing reasons, Applicant submits that since the Atad reference was published after the filing of Applicant's present application, that the Atad reference is not a proper basis for a rejection of Applicant's claims under 35 U.S.C. Sec. 103. Applicant notes that two provisional applications are listed on the face of the Atad reference as "Related Applications." Applicant has reviewed the provisional applications and notes that they are not the same as the Atad publication, and that Examiner has not cited to either of the provisional applications.

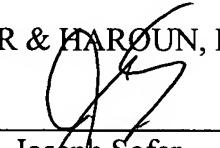
In view of the foregoing, Applicant respectfully submits that pending claims 1-22 are in condition for allowance, the earliest possible notice of which is earnestly solicited.

Application No. 10/723,177
Response dated March 27, 2008
Reply to Office Action Dated: September 28, 2007

Dated: New York, New York
March 27, 2008

Respectfully submitted,

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